



~~May 18, 2004 CPC~~

May 26, 2004 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0242

Ludolf Siemens

Clover Hill Magisterial District
120 North Courthouse Road

REQUEST: Conditional Use to permit a private school.

PROPOSED LAND USE:

A private school has operated on the request property for approximately twenty-two (22) years (Montessori Center for the Child). This request would allow the continued operation of this facility under new management.

PLANNING COMMISSION RECOMMENDATION

Recommend approval subject to the Conditions and acceptance of the Proffer Conditions on pages 2 and 3.

AYES: Messrs. Litton, Bass, Gulley and Wilson

ABSENT: Mr. Gecker

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The existing private school use, which has been in operation for approximately twenty-two (22) years, has been, and continues to be, compatible with existing residential development.
- B. The recommended conditions and proffered conditions would ensure that the site complies with current development standards for similar projects.

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(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

CONDITIONS

- (STAFF/CPC) 1. Except where the requirements of the underlying Agricultural (A) zoning are more restrictive, the existing school facility shall be upgraded to conform to the design requirements of the Zoning Ordinance for Corporate Office (O-2) uses in Emerging Growth Areas. A schedule for the implementation of these improvements shall be submitted to the Planning Department for review and approval within thirty (30) days of the approval of this request. This condition shall not preclude the ability to seek an exception to the curb and gutter requirements for parking and driveways through the Development Standards Waiver process. (P)
- (STAFF/CPC) 2. Except where the requirements of the underlying Agricultural (A) zoning area more restrictive, any new development for school use shall conform to the requirements of the Zoning Ordinance for Corporate Office (O-2) uses in Emerging Growth Areas. (P)
- (STAFF/CPC) 3. Within the recreational setback established in Proffered Condition 1.a., existing vegetation shall be supplemented, where necessary, with landscaping or other devices designed to achieve the buffering standards contained in Section 19-522(a)(2) of the Zoning Ordinance.

PROFFERED CONDITIONS

- (STAFF/CPC) 1. The following setback criteria shall apply to any outdoor play fields, courts, swimming pools and similar active recreational uses:
- a. With the exception of playground areas which accommodate swings, jungle gyms or similar such facilities, all active play fields, courts of similar active recreational facilities which could accommodate organized sports such as football, soccer, basketball, etc., shall be located a minimum of 100 feet from any adjacent property.
 - b. Any playground areas shall be setback a minimum of forty (40) feet from all property lines. (P)

(STAFF/CPC)

2. Prior to exceeding an enrollment of eighty (80) students, the following shall occur:
 - a. The existing access from the property to Courthouse Road shall be relocated towards the northern property line. The exact location of this access shall be approved by the Transportation Department.
 - b. Additional pavement shall be constructed along Courthouse Road at the approved access to provide a right turn lane. The developer shall dedicate to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for this road improvement. (T)

(STAFF/CPC)

3. The freestanding sign identifying the school use shall be of a monument style and shall not exceed twenty-four (24) square feet in area and eight (8) feet in height. (P)

GENERAL INFORMATION

Location:

West line of Courthouse Road, north of Keithwood Parkway, and better known as 120 North Courthouse Road. Tax ID 743-704-7406 (Sheet 6).

Existing Zoning:

A with Conditional Use

Size:

4.7 acres

Existing Land Use:

Private School

Adjacent Zoning and Land Use:

North - A and R-7; Single family residential
South, East and West - A; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing sixteen (16) inch water line extending along the north side of North Courthouse Road opposite this site. In addition, an eight (8) inch water line extends across North Courthouse Road to terminate adjacent to the request site. The existing school building on this site is served by a private well system, and it is the intent to continue utilizing the existing well to serve the proposed private school. Section 18-60(c) of the County Code requires connection to the public water system when a water line is less than 200 feet away from a property line of any lot or parcel and a building permit application has been made for a new structure. Due to the applicant's intent to utilize the existing structure, use of the public water system is not required at this time. Should a new structure be built, or an addition is made to the existing structure, use of public water will be required. The Utilities Department has recommended that the public water system be used.

Public Wastewater System:

There is an existing eight (8) inch wastewater collector line extending along the south side of North Courthouse Road adjacent to the request site. The public wastewater system is available to serve this site. The existing school building on this site is served by a private septic system, and it's the intent of the applicant to continue utilizing the existing septic system. The Utilities Department has recommended to the applicant that the public wastewater system be used to serve the school. However, use of the public wastewater system is not required until a new structure is built on-site or an addition is made to the existing structure. (County Code Section 18-60(c))

Private Well:

The Health Department must approve use of a private well.

Private Septic System:

Conditional Use Case 79S044 established the maximum number of students at eighty (80). Should the school exceed this number and/or begin meal preparation for the students, an expansion of the existing drainfield will be necessary, subject to the Health Department's review and approval.

ENVIRONMENTAL

Drainage and Erosion:

The property drains west and then via tributaries to Mansfield Branch. There are currently no on or off-site drainage or erosion problems with none anticipated after development.

It is anticipated that relief to the curb and gutter requirements for parking and driveways may be sought through the Development Standards Waiver process. It is anticipated that such relief for the existing parking/drive areas or minor adjustments thereto should not negatively impact adjoining properties.

PUBLIC FACILITIES

Fire Service:

The Midlothian Fire Station, Company Number 5, and Forest View Volunteer Rescue Squad currently provide fire protection and emergency medical service. The Courthouse Road Fire Station, currently under construction, will be the primary service provider upon its completion. This request will have only minimal impact on fire and emergency medical services.

When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

Transportation:

The property (4.7 acres) is zoned Agricultural (A) with a Conditional Use (Cases 79SN0044 and 91SN0214) that permits a private school on the property subject to specific conditions. One of those conditions limits the keeping of no more than eighty (80) children on the property at any one time. Because another condition of the original Conditional Use limited the operation of the private school to a specific individual, the applicant is requesting a new Conditional Use for the private school.

The current request will not limit the number of students enrolled at the school; therefore it is difficult to anticipate traffic generation. Based on private school trip rates with an enrollment of eighty (80) students, the development could generate 200 average daily trips. These vehicles will be distributed along Courthouse Road, which had an estimated 2003 traffic count of 50,725 vehicles per day.

A school has been developed on the property, with one (1) access to Courthouse Road. This section of Courthouse Road is a six-lane divided facility. The site access is limited to right-turns-in and right-turns-out only, and is located approximately 250 feet north of a crossover on Courthouse Road that aligns Keithwood Parkway. Typical access spacing

along major arterials, such as Courthouse Road, should be approximately 500 feet or greater. The applicant has proffered that prior to exceeding an enrollment of eight (80) students, which is the maximum number of students permitted by the existing Conditional Use, the existing site access will be relocated towards the northern property line and a right turn lane will be constructed along Courthouse Road (Proffered Condition 2). Providing the right turn lane may require the developer to acquire "off-site" right of way from the adjacent properties.

At time of site plan review, specific recommendations will be provided regarding enrollment at the school, access and internal site circulation.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Powhite/Route 288 Development Area Plan which suggests the property is appropriate for low density residential development of 1.5 dwelling units per acre or less.

Area Development Trends:

Surrounding area properties are zoned Agricultural (A) and Residential (R-7) and are occupied by single family residences on acreage parcels or within recorded subdivision developments, or remain vacant. It is anticipated that residential development patterns will continue in this area, consistent with densities suggested by the Plan.

Zoning History:

On April 25, 1979, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved a Conditional Use to permit the operation of a private school (Case 79S044). This approval was subject to several conditions, including the granting of the Conditional Use to a specific operator, only.

On August 28, 1991, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved an amendment to Conditional Use Case 79S044 relative to hours of operation of the private school. (Case 91SN0214)

Site Design:

The existing school facility was opened in 1980 and has operated on the request property for twenty-two (22) years. The applicant intends to transfer operating rights to continue the private school use at this location. The recommended conditions would require that the site be upgraded to conform to the development standards of the Zoning Ordinance for office uses in Emerging Growth Areas, except as discussed herein (Condition 1). Any new development would also be subject to these Emerging Growth Area standards

(Condition 2). These standards are typical for the current development of similar private school facilities within the County. Emerging Growth Area standards address access, parking, landscaping, architectural treatment, setbacks, signs, buffers, utilities and screening of dumpsters and loading areas.

Architectural Treatment:

The recommended conditions would require any new construction for school use to conform to Emerging Growth District architectural standards. Currently in Emerging Growth Areas, architectural treatment of buildings, including materials, color and style, must be compatible with buildings located within the same project. Compatibility may be achieved through the use of similar building massing, materials, scale, colors and other architectural features.

Buffers and Screening:

As noted herein, adjacent properties are occupied by single family residences or remain vacant. Any proposed outdoor recreational facilities and playgrounds should be set back from these adjacent properties. (Proffered Condition 1 and Condition 3)

Freestanding Signage:

Currently, the Zoning Ordinance permits one (1) freestanding sign, fifty (50) square feet in area and fifteen (15) feet in height, to identify the school use. Such sign may be of a monument or pole-mounted design. In response to concerns expressed by the Clover Hill Commissioner, the applicant has proffered to restrict the maximum sign area to twenty-four (24) square feet and eight (8) feet in height, consistent with sign standards for schools in Village Districts. (Proffered Condition 3)

CONCLUSIONS

The existing private school use, which has been in operation for approximately twenty-two (22) years, has been, and continues to be, compatible with existing residential development. The recommended conditions and proffered conditions would ensure that the site comply with current development standards for similar projects.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Applicant (5/14/04):

Proffered Condition 3 was submitted.

Planning Commission Meeting (5/18/04):

The applicant accepted the recommendation. There was no opposition present.

On motion of Mr. Gulley, seconded by Mr. Wilson, the Commission recommended approval of this request subject to the Conditions and acceptance of the Proffered Conditions on pages 2 and 3.

AYES: Messrs. Litton, Bass, Gulley and Wilson

ABSENT: Mr. Gecker

The Board of Supervisors, on Wednesday, May 26, 2004, beginning at 7:00 p.m., will take under consideration this request.

